

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11559-RWZ

SELENA JACKSON

v.

VESPA GIBBS

ORDER

November 8, 2005

ZOBEL, D.J.

On July 28, 2005, the court issued a memorandum and order in which it noted that the clerk had received two documents from Selena Jackson neither of which contained her original signature and both of which were photocopies of papers pertaining to litigation in the Boston Housing Court. Ms. Jackson also failed to include either the filing fee of \$250 or a petition to proceed in forma pauperis. Although a case was opened, the court ordered Ms. Jackson to file a proper complaint that complied with the Federal Rules of Civil Procedure and to submit either an application to proceed without prepayment of fees or the filing fee of \$250, all within 35 days.

Since then Ms. Jackson has continued to file copies of Housing Court documents; she has also presented a motion to quash, a motion for a restraining order, and a number of documents the nature and relevance of which remains obscure. On October 24, 2005, she submitted in addition a check in the amount of \$280 presumably in payment of the filing fee. Because any check for a filing fee must be in the precise

amount owed, \$250, the clerk returned the check.

The end result of this activity is a flurry of papers, but a lack of conformity to the court's order. First, Ms. Jackson did not pay the filing fee nor did she present a complaint by the September 1 deadline. Second, even viewing them with the great latitude afforded pro se litigants, none of the papers she did file comply with the requisites of a complaint as set forth in the Rules. Third, since the check presented was in the wrong amount, the filing fee has yet to be paid. For these reasons, the action is dismissed.

Judgment may be entered dismissing the lawsuit.

DATE

/s/ Rya W.Zobel
RYA W. ZOBEL
UNITED STATES DISTRICT JUDGE